



Department of Justice

United States Attorney McGregor W. Scott
Eastern District of California

FOR IMMEDIATE RELEASE
Thursday, November 13, 2008
www.usdoj.gov/usao/cae

CONTACT: Lauren Horwood
PHONE: 916-554-27060
edcapress@usdoj.gov

SACRAMENTO MAN CHARGED WITH SENDING ANTHRAX-HOAX LETTERS

SACRAMENTO, Calif.—United States Attorney McGregor W. Scott announced that a grand jury returned a 13-count indictment today charging MARC M. KEYSER, 66, of Sacramento, with sending anthrax-hoax letters and mailing threatening communications.

This case is the product of an investigation by the Federal Bureau of Investigation and the U.S. Postal Inspection Service.

According to Assistant United States Attorney Benjamin B. Wagner, who is prosecuting the case, KEYSER was arrested at his home in Sacramento on October 29, 2008, after packages he mailed began arriving at offices of newspapers and other organizations throughout the country that contained a CD labeled "Anthrax Shock and Awe Terror" and a small packet of a granular substance bearing a bio-hazard label and the words "Anthrax sample." The mailings caused police, fire, and hazmat teams to respond to emergency calls in numerous states, causing anxiety, disruption, and costs.

Documents previously filed in the case indicate that KEYSER was interviewed by FBI Special Agents in January 2007 after mailing a similar package containing a cylindrical aerosol canister labeled "Anthrax" to the Sacramento News & Review. He was specifically advised at that time that any further similar mailings could be prosecuted under section 1038 of Title 18. At the time of his arrest on October 29, KEYSER told agents that he had mailed over 100 packages in late October to newspapers, public officials, restaurants and other locations in Sacramento and elsewhere. He stated that he hoped the "buzz" generated by the media and news reports would heighten awareness of anthrax vulnerability and attract people to his blog and a book he had written.

The indictment charges KEYSER with 10 counts of hoax mailings and three counts of mailing threatening communications. The 10 hoax counts relate to the 2007 mailing to the Sacramento News & Review; a second mailing to that organization in October 2008; a mailing to the Modesto office of Congressman George Radanovich; mailings to a McDonald's and to a Starbucks in Sacramento; and mailings to the Atlantic Monthly in Washington, D.C., the Charlotte Observer in North Carolina; the Dayton Daily News in Ohio; and the Sacramento Bee and KCRA television in Sacramento. The three threatening-communications counts relate to the mailings to Congressman Radanovich and the McDonald's and Starbucks in Sacramento.

Section 1038(a) of Title 18 was enacted in 2004, following the investigation of several anthrax hoaxes. If convicted, KEYSER faces up to five years in prison and a \$250,000 fine on each of the 10 hoax counts in the indictment. He faces the same penalty on the two threatening communications counts involving McDonald's and Starbucks. The statutory maximum is 10

years for the threatening communication involving Congressman Radanovich, because he is a federal official. The actual sentence, however, will be determined at the discretion of the court after consideration of the Federal Sentencing Guidelines, which take into account a number of variables and any applicable statutory sentencing factors.

The charges against the defendant are only allegations and he is presumed innocent until and unless proven guilty beyond a reasonable doubt.

##